

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATION
INTER-OFFICE MEMO**

June 28, 2006

TO: Beverly Najarian, Director

DEPT: Administration

FROM: Walter Craddock, Esq.

DEPT: Division of Motor Vehicles

SUBJECT: HEARING BOARD RESULTS

Please be advised that the following matters were heard before the Dealers' Board on Thursday June 22, 2006. Present at the hearing were: Joseph I. Monteiro, Chief, Enforcement/ Regulations and Legal Counsel, Susan Wilson, Esq., Division of Legal Services and hearing board members: Walter Craddock, Esq., James Botvin, Dennis Gertsmeier and Lt. David Palmer of The Rhode Island State Police. Absent: Thomas Ricci

1. LAMB MOTOR CO., INC. (L. Stephen Lamb, Pres.)

FIRST APPLICATION:

TO DEAL IN USED MOTOR VEHICLES ONLY

AT: 1039 MAIN ST. WEST WARWICK, RI 02893

DECISION: The Board granted Lamb Motor Co., Inc. the application. Twelve (12) plates to be issued #48, A-L.

2. JIM DOBSON'S HAMILTON AUTO SALES (James H. Dobson, Owner)

FIRST APPLICATION:

TO DEAL IN USED MOTOR VEHICLES ONLY

AT: 901 BOSTON NECK RD. NORTH KINGSTOWN, RI 02852

DECISION: The Board granted Jim Dobson's Auto Sales application. This application was approved subject to site inspection and turning in of the dealers' license for Hamilton Auto Sales and return 3 dealers plates.

3. 401 AUTO SALES, LLC (Manasse Payen, Member)

FIRST APPLICATION:

TO DEAL IN USED MOTOR VEHICLES ONLY

AT: 616 DOUGLAS AVENUE, PROVIDENCE, RI 02908

DECISION: The Board granted 401 Auto Sales, LLC the application subject to site inspection, return of BCI report and obtaining a second hand license. Three plates to be issued.

HEARING BOARD RESULTS

4. JAKE KAPLANS PRE-OWNED AUTO SALES (Sheree Kaplan-Allen, Pres)

FIRST APPLICATION:

TO DEAL IN USED MOTOR VEHICLES ONLY

AT: 1316 BALD HILL ROAD, WARWICK, RI 02886

DECISION: The Board granted Jake Kaplans Pre-Owned Auto Sales the application subject to site inspection, BCI check being returned and obtaining a second hand license. Three plates to be issued.

5. TARBOX TOYOTA (Edward P. Tarbox, Member / K. Joseph Shekarchi, Esq)

TRANSFER APPLICATION:

FROM: 6975 POST ROAD, NORTH KINGSTOWN, RI 02852

TO: 3659 QUAKER LANE, NORTH KINGSTOWN, RI 02852.

DECISION: The board granted Tarbox Toyota the transfer application subject to local approval, site inspection and all required DMV paperwork being submitted and approved.

6. COWESETT MOTORS, INC. (Shawn A. Ziari, Pres.)

REQUEST FOR TWO ADDITIONAL USED DEALER PLATES

LICENSED SINCE 10-27-76; HAS 1 DEALER PLATE.

DECISION: The board granted Cowesett Motors, Inc. two (2) additional plates subject to a proper bill of sale being provided to the Dealers' License and Regulations Office.

7. PROGRESSIVE INSURANCE CO. / Thomas J. Gavlick, Esq. V. LINCOLN AUTO SALES & SERVICE (Joseph Montuori, Pres./ John Harwood, Esq.)

COMPLAINT / SHOW CAUSE HEARING.

1ST. RESCHEDULED HEARING

DECISION: Continued due to the absence of the attorney for Lincoln Auto Sales & Service.

8. ELIZABET MIRANDA V. FSA AUTO SALES AND REPAIR (Charles F. Augenti, Jr. Pres.)

COMPLAINT / SHOW CAUSE HEARING

DECISION: The complaint was denied, as there was no evidence that the Dealers' wrong doing resulted in the failure of the vehicle.

The Board fined the dealer \$50.00 for violation of the Rules and Regulations Section VI (S) and RIGL §31-38-1, for lack of inspection sticker at the time of sale.

HEARING BOARD RESULTS

**9. YEIMABEL VELASQUEZ V. EPIC AUTO, INC. (Nicole Rose, Pres.)
COMPLAINT / SHOW CAUSE HEARING**

DECISION: The dealer was found to be in violation of the Rules and Regulations RIGL §31-5-11, subsection 10, for having indulged in an unconscionable practice relating to business as a motor vehicle dealer.

The Board has also ordered the dealer to pay Yeimable Velasques \$1,144.51 to cover the repairs to her car.

10. FOR DISCUSSION ONLY:

LETTER FROM ARAM G. GARABEDIAN, PRESIDENT OF BLISS PROPERTIES, REQUESTING PERMISSION FOR RHODE ISLAND LICENSED CAR DEALERS TO DISPLAY MOTOR VEHICLES AT THE WARWICK MALL ON SELECTED DATES.

DECISION: Approved, subject to the each individual dealer submitting a request to the Dealers' License and Regulations Office to participate in the display. No sales people or sales will be allowed

during the display.

Walter Craddock, Esq.
Chairman

Cc: Charles Dolan, Administrator, DMV

John DiTomasso, Assistant Administrator, DMV

Joseph I. Monteiro, Chief Enforcement/Regulations, DMV

Susan Wilson, Esq., Division of Legal Services, DOA

Stacy DiCola, Office of Secretary of State of RI

File